

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

ENERGY DIVISION

Item #10
ID # 11857
RESOLUTION E-4561
February 13, 2013

R E S O L U T I O N

Resolution E-4561. San Diego Gas and Electric Company (SDG&E).

This Resolution approves without modification SDG&E's request to create and modify certain Net Energy Metering (NEM) interconnection forms. SDG&E's request implements an important first step toward transferring data collection activity from the California Solar Initiative program (CSI Program) to SDG&E's interconnection forms. Pursuant to General Order (G.O.) 96-B, this Resolution requires California Public Utilities Commission (Commission) approval.

PROPOSED OUTCOME: Approve without modification SDG&E's request to (1) create the new "Net Energy Metering Application for Interconnection for Customers with Solar and/or Wind Only Electric Generating Facilities Greater than 30 Kilowatts Up to 1,000 Kilowatts," (2) modify the "Net Energy Metering Application and Interconnection Agreement for Customers with Solar and/or Wind Generating Facilities of 30 Kilowatts or Less," and (3) modify the "Interconnection Agreement for Net Energy Metering Renewable Electric Generating Facilities."

SAFETY CONSIDERATIONS: None.

ESTIMATED COST: None

By Advice Letter 2407-E filed on October 12, 2012 and Advice Letter 2407-E-A filed on November 9, 2012.

SUMMARY

This Resolution approves without modification SDG&E's request to (1) create the new "Net Energy Metering Application for Interconnection for Customers with Solar and/or Wind Only Electric Generating Facilities Greater than 30 Kilowatts Up to 1,000 Kilowatts" (Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW)), (2) modify the "Net Energy Metering Application and Interconnection Agreement for Customers with Solar and/or Wind Generating Facilities of 30 Kilowatts or Less" (Modified Form 142-02765 (Application/ Agreement for NEM Solar/Wind Under 30 kW)), and (3) modify the "Interconnection Agreement for Net Energy Metering Renewable Electric Generating Facilities" (Modified Form 142-02760 (NEM Renewable Interconnection Agreement)). The forms are applicable to customers with wind or solar generating facilities of varying sizes interconnecting in SDG&E's service territory and participating in SDG&E's NEM tariff.¹ SDG&E's Proposal implements certain statutory interconnection requirements related to streamlining interconnection processing times. SDG&E's Proposal also implements an important first step toward transferring data collection on ownership, installed cost, and system design from the CSI Program application to SDG&E's interconnection forms. SDG&E's Proposal complies with California law, Commission decisions, and the Commission's interconnection tariff, Electric Rule 21. One protest and one response were filed.

BACKGROUND

SDG&E is witnessing steady growth in customers installing wind and/or solar generating facilities and participating in SDG&E's NEM tariff. Pursuant to state law, SDG&E must process the interconnection application for each NEM customer-generator within thirty business days of receiving a complete interconnection request, signed interconnection agreement, and a permit from the applicable local jurisdiction.² As the volume of interconnection applications by NEM customer-generators with wind and/or solar generating facilities rises,

¹ California's Net Energy Metering law is set out at Pub. Util. Code § 2827 *et seq.*, and SDG&E's NEM tariff implements those statutory requirements.

² Pub. Util. Code § 2827(e)(1).

SDG&E seeks means by which to further simplify and streamline the process, to ensure compliance with the thirty-day processing deadline.

Further under state law, where NEM generating facilities meet all applicable safety and performance standards, the customer-generator is not required to purchase additional liability insurance.³

Last, SDG&E is anticipating and preparing for a transition of data collection responsibilities from the CSI Program to the interconnection group, as the CSI Program residential incentives available in SDG&E's service territory are nearly fully subscribed. The CSI Program presently collects information on various aspects of the program, including installation costs, ownership, and basic system design.⁴

NOTICE

SDG&E filed AL 2407-E on October 12, 2012. In response to the protest filed by the Interstate Renewable Energy Council, Inc. (IREC), SDG&E filed AL 2407-E-A on November 9, 2012 with modified insurance provisions, as discussed further below.

Notice of AL 2407-E and AL 2407-E-A was made by publication in the Commission's Daily Calendar. SDG&E states that a copy of the Advice Letter was mailed and distributed in accordance with G.O. 96-B, Section 4.3.

PROTESTS

AL 2407-E was timely protested by IREC on November 1, 2012.

³ Pub. Util. Code § 2827(j).

⁴ The information, including the raw data, is made available to the public at <http://californiasolarstatistics.ca.gov>. The raw data is available on the website through a link to the Working Data Set. Customers are identified in the Working Data Set only through an anonymous CSI Program application number.

SDG&E timely responded to the protest of IREC on November 8, 2012. Also in response to the protest of IREC, SDG&E filed AL 2407-E-A on November 9, 2012, replacing AL 2407-E in its entirety.

Pursuant to G.O. 96-B, Section 3.13, the Center for Sustainable Energy (CCSE) filed a response to AL 2407-E-A on November 29, 2012.

SDG&E timely replied to the response of CCSE on December 6, 2012.

DISCUSSION

The discussion below addresses SDG&E's Proposal as set out in AL 2407-E-A.

Applicable State Law, Commission Decisions, and Tariff Rules

In 1998, SDG&E was required to develop a standardized interconnection application form and agreement for NEM customer-generators to implement amendments to the NEM statute.⁵

Shortly thereafter, the Commission set out the terms of a standardized interconnection application and agreement to be associated with Electric Tariff Rule 21 (Electric Rule 21) in Decision (D.) 00-12-037.⁶ Although the Commission did not order SDG&E to conform the pre-existing forms associated with the NEM tariff to the terms of D.00-12-037, the Commission noted the importance of standardized, user-friendly interconnection forms.⁷ For interconnection applications in particular, the Commission stated that the form must balance the utility's need for sufficient information to process the application within statutory deadlines against a level of detail that results in a barrier to entry.⁸

⁵ Assembly Bill (AB) 1755 (Keeley, 1998), amending Pub. Util. Code § 2827.

⁶ D.00-12-037, *Decision Adopting Interconnection Standards*, at Attachments B and C, issued December 21, 2000 in Rulemaking (R.) 99-10-025, Order Instituting Rulemaking Into Distributed Generation, filed October 21, 1999 (D.00-12-037).

⁷ D.00-12-037 at 3.

⁸ D.00-12-037 at 3-4.

Until the present filing, SDG&E has made two interconnection application forms available to NEM customers: Modified Form 142-02765 (Application/ Agreement for NEM Solar/Wind Under 30 kW), and Form 142-05203, “Generating Facility Interconnection Application” (Existing Form 142-05203 (Application for NEM All Resource Types Above 30 kW)). The latter has been available to all NEM customers using any generating resource type and sized above 30 kW, as well as to certain Virtual Net Energy Metering customers.

Also until the present filing, SDG&E has made the Modified Form 142-02760 (NEM Renewable Interconnection Agreement) available to all NEM customers using any generating resource type and sized above 30 kW.

Separately from the interconnection applications, for the past several years SDG&E and CCSE, which serves as the CSI Program Administrator⁹ in SDG&E’s service territory, have been collecting certain data from residential and commercial customers applying for a CSI Program incentive. The CSI Program incentive application includes questions on installed cost, contractor and contractor license number, ownership, and solar panel placement and design. The data collected from customers via the CSI Program application is uploaded weekly to a public website, California Solar Statistics.¹⁰ California Solar Statistics is presented jointly by the CSI Program Administrators and the Commission. The data on California Solar Statistics may be viewed on a per-installed system basis, and no customer names or addresses are associated with individual systems.

SDG&E’s Proposal

1. Proposed New Form 142-02766 (Application for NEM Solar/ Wind 30-1000 kW))

⁹ The other CSI Program Administrators are Pacific Gas and Electric Company (PG&E) in PG&E’s service territory and Southern California Edison (SCE) in SCE’s service territory.

¹⁰ <http://www.californiasolarstatistics.org/>.

This form is comparable to Existing Form 142-05203 (Application for NEM All Resource Types Above 30 kW), which SDG&E has used to date for all NEM interconnection applications above 30 kW. Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) contains new and deleted questions based on their relevance to the solar and/or wind customer segment. Relevant provisions of Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) are as follows:

New questions:

- a. Introduction, solar/wind system method of payment: The form asks the customer to identify whether the installed system will be purchased and owned by the host customer or leased from a third party, and if leased, the identity of the third party. If purchased and owned by the host customer, the customer is asked to provide the installed cost. The purpose of this new question is to transfer the collection of ownership and installed cost data from the CSI Program to SDG&E's interconnection department for eventual continued publication, in aggregated and sufficiently anonymous form, on the California Solar Statistics website.
- b. Part I.A, Applicability: This form will be made available to customer-generators with wind and/or solar generating facilities sized between 30 kW and 1,000 kW and participating in SDG&E's NEM tariff. This is a customer segment for which SDG&E is experiencing steady growth in interconnection requests, and the purpose of establishing a separate application is to enable SDG&E staff to handle the volume of applications efficiently and within statutory deadlines.
- c. Part I.D, Contractor Information: The customer is asked to check a box if the customer agrees that the contractor installing the generating facility may receive confidential customer information and act on behalf of the customer with respect to the interconnection application. Prior to the introduction of this box, SDG&E asked customers to fill out a separate agreement allowing the sharing of confidential information with the contractor. Including this box on the application reduces the number of separate forms and amount of paperwork required for each individual customer.

- d. Part III.B, New Subdivision: The form asks whether the account will be established in a new subdivision. The purpose of this question is to allow SDG&E to determine whether the new account is being located in a subdivision where other generating facilities are interconnected or planned for interconnection. Under present interconnection rules, the thresholds for aggregate generating capacity on a distribution line segment are the equivalent of either fifteen percent of peak load or one hundred percent of minimum load. Requesting this information on the application allows SDG&E to ensure that these thresholds are met, even if meters have not yet been installed at the property. This question is presently asked on the Modified Form 142-02765 (Application/ Agreement for NEM Solar/Wind Under 30 kW), and thus is a new question only with respect to the above-30 kW customer segment.
- e. Part III.C, Electric Vehicle Recharging: The form asks whether an electric vehicle recharging facility will be included as part of the load, whether it will be metered separately from the residence, and whether the solar and/or wind generation will serve a residence or business. The purpose of these questions is for SDG&E to collect data about the interplay of generating facilities and electric vehicle charging locations on the distribution system, including charging stations that are operated as part of a residence or a commercial site. This question is presently asked on the Modified Form 142-02765 (Application/ Agreement for NEM Solar/Wind Under 30 kW), and thus is a new question only with respect to the above-30 kW customer segment.
- f. Part III.G, Demand Response: The form asks whether the customer participates in a Demand Response program. Again, the purpose of this question is for SDG&E to be able to track and query the NEM customer-generators that also participate in a Demand Response program. This question is presently asked on the Modified Form 142-02765 (Application/ Agreement for NEM Solar/Wind Under 30 kW), and thus is a new question only with respect to the above-30 kW customer segment.

- g. Part IV.C.2, PV Panel Installation: The form asks the customer to identify whether the solar photovoltaic panels will be installed at a tilt, flat, or with a tracking system. The purpose of this new question is to shift collection of PV panel installation data from the CSI Program to SDG&E's interconnection department for continued publication on the California Solar Statistics website.
- h. Part IV.F, Mailing Instructions: The customer is allowed to submit the interconnection application online via SDG&E's website once completing it. The customer is required to check two boxes that function as the customer's signature on the application. Customers retain the option of printing and mailing the application. Customers completing Proposed Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) must print, sign, and mail one of two interconnection agreements, and must separately mail any applicable fees. The purpose of this new option to file a NEM interconnection application online is to offer a user-friendly, online option to the customer, and to provide SDG&E with the ability to manage each application internally in a more streamlined fashion.

Deleted questions:

- i. Part IV, Description of the Generating Facilities. This form is significantly simplified in comparison to Existing Form 142-05203 (Application for NEM All Resource Types Above 30 kW). Because the form's applicability is more limited, multiple technical questions and instructions relevant to synchronous and induction generators, which are used in combined heat and power applications and non-wind and solar fuel sources, are deleted. The purpose of these deletions is to simplify the interconnection application for this customer segment.
- 2. Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW)

SDG&E deletes Section II.A.3, Liability Insurance, from this form. This section originally requested that the NEM customer provide information about any liability insurance carried by the customer. SDG&E posed this question for informational purposes only, and not as a condition of executing the interconnection agreement. SDG&E's purpose in deleting this provision is to simplify this form, in agreement with the protest of IREC.

3. Modified Form 142-02760 (NEM Renewable Interconnection Agreement)

In Modified Form 142-02760 (NEM Renewable Interconnection Agreement), SDG&E deletes Section 8, Liability Insurance, in its entirety. This section originally served two purposes. First, where the NEM customer met all applicable safety and protection standards, SDG&E requested that the customer retain any existing liability insurance in force, and did not require that the customer purchase additional liability insurance. Second, in the event that a NEM customer did not meet all applicable safety and protection standards as set out in the interconnection criteria, and SDG&E was nevertheless prepared to grant the customer permission to interconnect and operate the generating facility, the form established a liability insurance requirement with minimum levels of coverage based on the size of the system. SDG&E's purpose in deleting the liability insurance provision is to simplify the form.

Protest and Response and Replies to Protest and Response

In its protest of AL 2407-E, IREC supports SDG&E's simplification efforts, but requests that SDG&E delete liability insurance provisions in Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW) and Modified Form 142-02760 (NEM Renewable Interconnection Agreement). IREC cites state law providing that where NEM customer-generators comply with applicable safety and performance standards, the customer-generator shall not be required to purchase additional liability insurance.¹¹

In its response, SDG&E agrees with IREC that the forms can be further simplified. In AL 2407-E-A, SDG&E deletes the provision from Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW), and additionally deletes the liability insurance provision from Modified Form 142-02760 (NEM Renewable Interconnection Agreement).

In its response to AL 2407-E-A, CCSE generally supports SDG&E's Proposal, but comments that additional data-related matters remain outstanding as the CSI Program comes to an end that are not fully addressed in AL 2407-E-A. According to CCSE, the Commission should consider broader questions, such as

¹¹ Pub. Util. Code § 2827(j).

the granular detail of the data to be collected and presented; the frequency of data updates; the continued use of a single website such as California Solar Statistics; and whether collection of this data will be expanded to publicly-owned utilities.

In its reply to CCSE, SDG&E notes that the new fields requesting ownership, installed cost, and PV system design proposed to be collected within SDG&E's Proposal are all presently asked in the CSI Program application. SDG&E states that Energy Division staff requested SDG&E to begin collecting this data in its NEM interconnection forms to initiate the transfer of data collection activity from the CSI Program to utility interconnection departments.

Staff Analysis

Energy Division staff has reviewed SDG&E's Proposal, and finds that it complies with California law, Commission decisions, and Electric Rule 21.

Compliance with Public Utilities Code Section 2827(e)(1)

SDG&E's Proposal complies with processing deadlines set out in Public Utilities Code section 2827(e)(1).

Significant streamlining is accomplished within SDG&E's Proposal. First, Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) meets the needs of the customer segment in which SDG&E is experiencing the most growth. Tracking customers into this category and providing a simplified form for their use aids the customer and SDG&E's internal application management. Allowing the customer to submit the form online permits SDG&E to manage the application more efficiently among the internal departments that must evaluate each interconnection application. These efficiencies contribute to SDG&E's ability to meet the statutory deadline set out in California law.

Compliance with Public Utilities Code Section 2827(j)

SDG&E's Proposal also simplifies the forms while remaining in compliance with the liability insurance provisions set out in Public Utilities Code section 2827(j).

The NEM statute provides that where a NEM generating facility is in compliance with all applicable safety and protection standards, the customer is not required

to purchase additional liability insurance.¹² SDG&E's Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW) and Modified Form 142-02760 (NEM Renewable Interconnection Agreement) both met this requirement, because both forms requested information about liability insurance from customers that otherwise met all applicable safety and protection standards, but did not make execution of the agreement contingent upon such information. In its original form, Modified Form 142-02760 (NEM Renewable Interconnection Agreement) specifically stated that such customers would not be required to purchase additional liability insurance. The deletion of these provisions simplifies the forms while remaining in compliance with Pub. Util. Code section 2827(j).

SDG&E's deletion of the liability insurance provisions in Modified Form 142-02760 (NEM Renewable Interconnection Agreement) for customers that do *not* meet all applicable safety and protection standards also simplifies the form. We find that the likelihood that SDG&E will interconnect a customer not meeting all safety and protection criteria set out in Electric Rule 21 is rare, and thus such provisions are not necessary for the vast majority of SDG&E's customers.¹³

D.00-12-037, Standardized and User-Friendly Interconnection Forms

In D.00-12-037, the Commission anticipated that standardized, user-friendly interconnection forms would need to be developed over time to meet the needs of different customer groups. SDG&E's Proposal meets this need by providing standardized interconnection applications to three customer groups: NEM customers with wind and/or solar generating facilities under 30 kW, and NEM customers with wind and/or solar generating facilities sized

¹² Pub. Util. Code § 2827(j).

¹³ SDG&E will not grant a NEM customer-generator permission to operate until all such safety and protection standards are met. Electric Rule 21, Section D.1. Further, as is common practice, SDG&E requires approval from a local government building inspector to ensure that safety standards are met prior to activating an interconnection for a NEM customer-generator.

30 kW-1,000 kW, and NEM customers with non-wind or solar generating facilities sized 30 kW-1,000 kW.

Transfer of Data Collection from CSI Program Application to Interconnection Applications

SDG&E's Proposal implements an important first step toward transferring data collection from the CSI Program application to SDG&E's interconnection forms, with questions on ownership, installed cost, and system design.

These data fields have been collected by the CSI Program Administrators from applicants for CSI Program incentives since 2007, when the CSI Program application database website was launched. This information has been made publicly available¹⁴ in Energy Division staff reports and the California Solar Statistics website, while keeping the address of the site and the name of the host customer confidential. In the six years since this data has been made public on a weekly basis, it has been widely used by the public and key stakeholders to track and analyze the CSI Program and the residential solar marketplace.

We find that it is appropriate and reasonable to continue the activity of collecting the data set out in SDG&E's Proposal, for several reasons: (i) the data published and available for tracking and analysis on California Solar Statistics has contributed to the growth and maturation of the distributed generation solar market in California, such as analysis of installation trends, costs, and forecasting, and should continue; (ii) the installed cost data has provided an important consumer function by allowing comparisons of contractor costs, and should also continue; (iii) the published data is sufficiently anonymous (either by means of aggregation or by removing individual identifying information) with respect to each customer's identity, and will remain so; and (iv) as the CSI Program draws to a close, data collection to support these vital public purposes is most appropriately located in SDG&E's interconnection department, because all self-generation customers must apply for interconnection. We note that at

¹⁴ At present, the contractor who prepares each week's Working Data Set has been tasked with including the tracking aspect of installation (i.e., fixed, single, or dual axis tracking) data in the public database, and this data is anticipated to be available on California Solar Statistics in the near future.

this stage, while CSI Program incentives are still available, the data presented on California Solar Statistics will continue to be drawn from the CSI Program application. At some point in the future, the source of the data will be SDG&E's interconnection applications.

We note that this is an important first step in a larger effort. As SDG&E states, Energy Division staff has begun working with each investor-owned utility to discuss the data fields that will be important to continue collecting as the CSI Program ends. Additional data fields from the CSI Program application will be transferred to the interconnection application, and the other investor-owned utilities will embark on an effort similar to SDG&E's. We anticipate additional advice letters and/or appropriate procedural steps within the Commission's proceeding implementing the CSI Program.¹⁵

On the basis of the above, we find that continued collection of this data is reasonable and we order SDG&E to do so as set out SDG&E's Proposal.

Protest of IREC

We agree with the protest of IREC and SDG&E's reply that the forms will be simplified and will remain in compliance with California law by deleting the liability insurance provisions. The liability insurance provisions shall be deleted from Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW) and Modified Form 142-02760 (NEM Renewable Interconnection Agreement).

Response of CCSE

We agree with CCSE that larger questions related to the continued collection and publication of data on customer-owned generation in California remain to be addressed. However, we also agree with SDG&E that the scope of this Resolution is limited to the proposals made in AL 2407-E-A.

¹⁵ *Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues*, (R.) 12-11-005, filed November 8, 2012.

As discussed above, we anticipate that additional proposals will be presented to this Commission, either through the advice letter process or within the active CSI proceeding, as SDG&E and the other investor-owned utilities revise their interconnection forms to transition data fields from the CSI Program application to interconnection applications. We further anticipate that this work will occur in collaboration with Energy Division staff and the CSI Program Administrators, so that consistent proposals will ultimately be presented to the Commission. Finally, we anticipate that the proposals will present arguments addressing the balancing of interests, identified by CCSE in its response, that are upheld by publishing regular and accurate data on customer-owned generation in California.

COMMENTS

Public Utilities Code section 311(g)(1) provides that this Resolution must be served on all parties and subject to at least thirty (30) days for public review and comment prior to a vote of the Commission. Section 311(g)(2) provides that this 30-day period may be reduced or waived upon the stipulation of all parties in the proceeding.

The 30-day comment period for the draft of this resolution was neither waived or reduced. Accordingly, this Resolution was mailed to parties for comments, and will be placed on the Commission's agenda no earlier than 30 days from today.

No comments were received.

FINDINGS

1. SDG&E's Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) complies with California law because its applicability to a fast-growing customer segment enhances SDG&E's ability to comply with statutory deadline of thirty days to process NEM interconnection applications.
2. SDG&E's Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) comports with Commission decisions identifying the need for user-friendly interconnection forms, because it is simplified and allows online submission.

3. SDG&E's Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) is reasonable because it continues pre-existing data collection activity already in place in the California Solar Initiative Program, and such data will continue to serve the growth and maturation of the customer generation market in California, as well as important consumer protection functions.
4. Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW) is simplified through the deletion of Section II.A.3, Liability Insurance, and remains in compliance with California law.
5. SDG&E's Modified Form 142-02760 (NEM Renewable Interconnection Agreement) is simplified through the deletion of Section 8, Liability Insurance, and remains in compliance with California law.

THEREFORE IT IS ORDERED THAT:

1. The request of SDG&E to approve Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) is approved.
2. The request of SDG&E to approve Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW) is approved.
3. The request of SDG&E to approve Modified Form 142-02760 (NEM Renewable Interconnection Agreement) is approved.
4. The data collected by SDG&E in Proposed New Form 142-02766 (Application for NEM Solar/Wind 30-1000 kW) and Modified Form 142-02765 (Application/Agreement for NEM Solar/Wind Under 30 kW) is confidential only when associated with a specific customer address or name.

This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on February 13, 2013; the following Commissioners voting favorably thereon:

PAUL CLANON
Executive Director